

MINUTES OF THE ZONING BOARD
PUBLIC HEARING AND REGULAR MEETING,
MONDAY, DECEMBER 12, 2016 AT
7:00PM, ON THE 4th FLOOR, CAFETERIA,
GOVERNMENT CENTER BLDG, 888 WASHINGTON
BLVD., STAMFORD, CT

Present for the Board: David Stein (Acting Chair) Rosanne McManus (Acting Secretary) Bill Morris, Joanna Gwozdzowski and Sandra Dennies-Alternate, Present for staff: Ralph Blessing, Land Use Bureau Chief, and Vineeta Mathur, Associate Planner.

Acting Chair Stein called the meeting to order at 7:04 pm.

PUBLIC HEARING

1. **Application 216-40 Osrock LLC. c/o Redniss & Mead Inc. 22 First Street, Stamford, CT, Special Exception, Coastal Site Plan Review and Site and Architectural Plan Review,** Applicant is proposing to construct a self-storage facility in an existing parking lot located at 401 Shippan Ave. The self-storage facility would be 85,000 sf, on approx. 3.4 acres, located in the M-G/C-N zone.

Acting Chair Stein read applications 216-40 for the record

Acting Secretary McManus read the Planning board referral comments for the record.

Richard Redniss of Redniss & Mead presented the mailing to the board and then proceeded to make his presentation using presentation boards regarding the proposed self-storage facility. He outlined the proposed project details which will consist of a 85,000± square foot building on approximately 3.4 acres to be located in an existing parking lot at 401 Shippan Avenue.

Ms. Gwozdzowski asked about the entrance on the left side of the building and if any other access is proposed. Mr. Redniss noted that there is no other proposed entrance to the building.

Mr. Stein asked if there are any other larger elevations.
Mr. Redniss showed another elevation drawing.

Ms. Dennies asked to see the building materials. Mr. Redniss verbally described the materials chosen for the project.

Ms. McManus asked about the direct access units in the building.

Mr. Frank Kiko, applicant's representative replied that these are primarily for residential users. While small businesses may also use the units they do not anticipate these to be used by contractors since those units are typically larger.

He also described the loading dock area and how the customer will be able to back into the units and be shielded from the weather.

Mr. Morris asked about the shared use of parking with the neighboring uses. Mr. Niko stated that there is an informal agreement for shared usage among the neighboring businesses including Knights of Columbus and the informal arrangement will continue to be in place after the self-storage is built.

Ms. McManus asked about the roof mechanicals. Mr. Kiko described the layout and noted that the mechanicals will not be visible.

Ms. Gwozdzowski asked about landscaping. M. Redniss stated that the only place for landscaping is the median in the entry driveway.

NO PUBLIC COMMENTS

Mr. Stein stated that the public hearing for application 216-40 has been closed.

2. **Application 216-41 – Ten Rugby Street, LLC. 10 Rugby Street, Special Exception Coastal Site Plan Review and Site and Architectural Plan Review**, Proposing to construct a 21,000 square foot building to house all operating procedures of a demolition materials recycling facility indoors (office, material storage, stockpiling, loading/unloading and use of all heavy machinery). The building design and feature will mitigate noise, vibrations, dust, offsite parking and truck circulation associated with the present use.

Acting Chair Stein read applications 216-41 for the record.

Acting Secretary McManus read the Planning board referral comments for the record.

Richard Redniss of Redniss & Mead presented the mailing to the board and then proceeded to make his brief presentation using presentation boards regarding what the building would look like if approved. He outlined the proposed project which consist of a 21,000± square foot temporary building that will house all operations of a demolition material recycling facility indoors. This will include materials storage, stockpiling, loading/unloading and use of all heavy machinery. He also described some of the building features that will mitigate noise, vibrations and dust as well as offsite parking and truck circulation associated with the present use. He stated a vehicle every 10 – 15 minutes is expected. Based on the amount of space in the building, there will be no trucks lined up on the streets.

Mr. Morris and Mr. Redniss discussed the court ruling regarding the use.

Mr. Redniss described the stipulation agreement between the City of Stamford and Mr. Vitti on the court ruling. He stated that there will be fines if Mr. Vitti does not comply with the stipulation.

Mr. Morris stated that he would like for Jim Minor to speak on the agreement.

Mr. Stein asked that given the court ruling is he still crushing materials. Mr. Redniss stated that Mr. Vitti is not crushing materials.

Ms. Dennies asked if building be impacted/dented by the work. Mr. Redniss described the jumbo block walls proposed as a means to protect the structure.

Ms. Stein asked why the impactor is open on some sides. Mr. Redniss noted that the parts that are open on in the back include the eastside which is open to feed the materials. Potential rubber flaps for noise and dust mitigation can be installed. There is an opening on the other side to feed the conveyor belt.

Mr. Morris asked if there is a standard for the vibration. Mr. Redniss responded that we are working with staff to come up with a standard. Mr. Blessing reiterated that the staff is working with the applicant to come up with a standard.

Mr. Morris asked if there are alarms for the vibration, carbon monoxide detectors and dust.

Mr. Redniss responded that yes there will be an alarm for dust and carbon monoxide detectors; there is no alarm for the noise. Mr. Morris asked if there is not standard than how this is going to work.

Mr. Redniss stated that the Zoning Board should come up with a standard and if there is a complaint than there will be measurements taken and so forth The Zoning Board will have the right to say that we want less vibration. We think that with the building being set back 50 -60 feet and with the presence of the misters it will meet and exceed the standards.

Ms. Gwozdzowski asked about employee parking. Mr. Redniss showed the parking locations on the presentation board.

Ms. McManus asked about the landscaping. Mr. Redniss described the landscaping and drainage He noted that they did leave some area for future sheds that would have to be on blocks for the drainage. We would have to come back to the board for the sheds. We would be happy to add whatever landscaping staff recommends but we have to have the fencing to secure the property.

Mr. Stein asked about the mister. Mr. Redniss replied that the mister mists the materials so that it does not create dust. It is not a constant misting.

PUBLIC COMMENTS FOR APPLICATION 216-41

Terry Adams Board of Representative #3- He presented the board with documents on silicone dust and its impact on health. He recommended that the City of Stamford work with OSHA. He stated that City Carting was told to keep the mist on constantly not twice a day. He understands that Mr. Vitti has to run business but it should not be at the expense of the residents' health. He asked that City has been trying to shut this down for 10 years so why are we allowing this now.

Mr. Stein asked staff to check on the dust monitoring. Mr. Blessing stated that they will research OSHA, EPB and New York for the standards.

Mr. Morris asked that Mr. Lunney be present at the next meeting to discuss the court ruling with Mr. Vitti.

Frances Gerety, Elmcroft Road stated that heavy trucks have caused damaged on Elmcroft Road and Rugby Street. There was a recent water main brake. She expressed a strong concern about her quality of life.

Mr. Redniss stated that they have to comply with OSHA and EPB standards. We are trying to improve the situation in this area. There will be access only on one street. We are not encouraging a permanent industrial use. He noted that this structure is for five years and is not a permanent building.

Acting Chair Stein stated that the public hearing for application 216-41 will be continued at the January 9, 2016 meeting.

Acting Chair Stein called a recess at 8:44pm. The meeting resumed at 8:49pm

3. **Application 216-43 – 45 Church Street Properties, LLC, c/o Carmody Torrance Sandak & Hennessey LLP, 707 Summer Street, Stamford, CT, Text Change,**
Proposed text change to Amend subsection of Article III, Section 4-AA-11.4 (g) V-C Village Commercial District regulations by adding “within any 5-year period, which in the aggregate, comprises 5, 000 square feet or less of floor area of a building or structure to a permitted VC District use”, and deleting “requiring no change to the building exterior or site not otherwise exempt”.

Acting Chair Stein read applications 216-43 for the record.

Acting Secretary McManus read the Planning board referral comments for the record.

Attorney William Hennessey, of Carmody Torrance Sandak & Hennessey made of brief presentation explained this text change. There is no certificate of mailing. He was under the impression that this application will be heard along with application 216-11 which is a continuance of a public hearing.

Mr. Stein agreed with Mr. Hennessey's statement.

Attorney Hennessey introduced his staff. He stated that he was retained after the public hearing for 216-11 was heard. He stated that he has also consulted with Norman Cole on this. He does feel that for smaller changes of use there should be an exception and we crafted the text amendment in order to correct the issue with the V-C Dist.

Ms. Dennis asked about the average size of the commercial property in the area.

Attorney Hennessey noted that the size is all over the place.

Attorney Hennessey stated that the threshold in the text amendment does not affect his client as the property is over 5000 square feet.

Mr. Morris asked that if this text is changed would his client be subject to all the V –C requirements.

Attorney Hennessey stated that if the text change goes through then my client would have to submit a site plan. If the map goes through and not the text, my client would not have to submit a site plan.

PUBLIC HEARING CONTINUED FROM OCTOBER 17, 2016

1. **Application 216-11 – JOSEPH CRISCUOLO, 45 CHURCH STREET, Map Change,** to change to V-C zone approximately 0.35 acres at the corner of Church Street and Parker Avenue, currently zoned C-N.

Attorney Hennessey -There is a certain amount of frustration with how Glenbrook Road works. When it was built it was in C-L district. Up until 1984 the entire strip of Church Street was in C-L zone. Crescent Street was in M-G zone. For 30 -40 years Glenbrook was an industrially zoned area. A lot of vestiges of that era are still there. It was rezoned to C-N zone to restrict the intense industrial uses. A lot of that still remained. It was not enough incentive for developers to redevelop their properties. Ultimately the different types of V-C districts were established. After that it was refined several times. In Glenbrook the height was changed from (3) three stories to (4) stories. The traffic study by Goody Clancy suggested expansion of the V-C district. The Master Plan was updated to change the category from #4 to #7. He described the building using presentation boards and stated that the building was built on stilts and for office use. Conversion to apartments will be a total of 30 units – 3 Studios, 21 (1) bedrooms and 6 (2) bedrooms. This proposal conforms to the goals of the master plans set forth by the Planning Board, the Village Commercial District and the Goody Clancy Plan.

PUBLIC COMMENTS FOR APPLICATION 216-11 and 216-43

Steve Garst, Stamford Neighborhood Coalition, Glenbrook resident expressed to the board that the residents are asking that the V-C boundary not be expanded. He showed the current V-C boundaries and the expansion and demonstrated the potential for new development and expressed concerns regarding the previous traffic study for the V-C district.

Frank Macchio, 23, 25 Parker Street –Were MG Zone now R-5. He displayed a presentation board showing the ongoing construction on Glenbrook Road and the traffic. He noted that the building is too big for Glenbrook. He stated that the total units will result in well over 100 residents and spoke against the zoning map change.

Mary Ann Brown, 250 Hillandale Ave stated that she wants to support the Glenbrook Neighborhood Coalition. She expressed strong concerns regarding traffic and parking on Glenbrook Road, Hope Street and Newfield Avenue.

Charles Pierre stated that he was raised in Glenbrook and still lives in Glenbrook. Mr. Pierre noted that he came to the meeting to listen to the changes to V-C district. There will be a traffic and congestion impact on the neighborhood if we expand the V-C area. The other properties will want to do the same. We should stop and wait to see what the impacts are with the current building going up on Glenbrook Road. We want to keep the neighborhood the way it is.

Joseph Criscuolo, Owner of 45 Church Street and several other properties in Glenbrook stated that Glenbrook has looked horrible for years and he cares about the neighborhood. The new building that was built with 17 units was a junk yard. He states that want the community to be better.

Christie Fountain, Member of the design review council of the Glenbrook Neighborhood Association stated that she does not speak for the Glenbrook Neighborhood Association. What the design review council does is study site plans in the V-C district. We studied the site plans for the 17 unit building that was built and the 44 unit building still under construction. We have not taken a position to approve or disapprove. We worked with the applicant for 45 Church Street and Bill Hennessy on this text change and are in favor of its approval. If this text change does not go through, 45 Church Street would not come under our review.

Mrs. Gloria Batinelli, 81 Cowan Plan, Former president of the Glenbrook Neighborhood Association stated that the V-C District originated while she was the president. She stated that Glenbrook Neighborhood Association and the Springdale Neighborhood Association worked with a consultant from NY. She stated that she wanted the height limit to be 3 stories, the Springdale Neighborhood Association wanted 4 stories and so she went with the 4 stories. She showed strong concerns about the traffic and aesthetic impact of the new buildings.

Stephanie Murphy, Center Street stated that he was in favor of development but wanted it done in an orderly fashion.

Mike Batinelli, 225 Colonial Road, President of the Stamford Neighborhood Coalition. He stated that the City of Stamford has lost touch with the people. He noted that we picked a small area in the center of Glenbrook Road for the V-C district and now it has blown out of proportion. He expressed that the V-C District is flawed. He stated that Glenbrook was a nice residential area. He spoke about the traffic in the Glenbrook and Springdale area. He said that he opposes the expansion until we can assess the impact of the V-C District.

Mr. Morris asked if he had brought in the petition regarding the project.

Mr. Batinelli stated that he did not have it and could bring it to you.

Linda Lombardo expressed that our neighborhoods are not neighborhoods anymore. It takes far longer for me to get to work now driving down Hope Street. She requested the Zoning Board to please preserve the town.

John Zito, Stamford resident -I'm not against what Joe is doing. I'm saying the sewage treatment plant cannot handle all the development. You go down Center street in the afternoon and it is a nightmare, the traffic is crazy. He raised the narrow width and on-street parking which affects snow plowing.

Mr. Morris asked what benefits this would provide if this building was changed to the V-C District

Attorney Hennessey stated that there will be value created which will translate into money, the building will have a use, and the building will be gutted and rehabbed. The retail component on the ground floor and walking distance to rail station will make it very V-C District friendly.

Mr. Morris stated that the retail would not be guaranteed referring to another building where retail turned into ground floor apartments. Attorney Hennessey stated that yes that occurred on 417 Glenbrook Road

Attorney Hennessey expressed that it is unfair to state that the building at 504 Glenbrook Road is blight since it is still under construction. It is not going to look like that when it is done.

Attorney Hennessey stated that it seems to me that everybody embraces Glenbrook and thinks it is a special place. I think what I'm hearing here is the domino effect. I think that's a more legitimate concern. This building should be in the V-C District. This building is not contributing to the neighborhood as it is.

Mike Batinelli stated that 45 Church Street is only a building and it's not going to change much if converted. It is not going to contribute to anyone but the owners.

Attorney Hennessey entered three (3) presentation boards into the record.

Mike Batinelli entered two (2) presentation boards into the record.

Mr. Stein stated that the public hearing for applications 216-11 and 216-43 have been closed but kept open for the purpose of submitting the petition to the board by Monday, December 19, 2016.

REGULAR MEETING

APPROVAL OF MINUTES:

Acting Chair Stein noted that Ms. Dennies was seated for the November 28, 2016 meeting.

Minutes for Approval: November 28, 2016: Following a brief discussion, Ms. McManus moved approval of the minutes as amended, seconded by Ms. Dennies and carried on a vote of 4 to 0 (Gwozdzowski, McManus, Dennies and Morris)

ADJOURNMENT

Ms. Gwozdzowski moved to adjourn the meeting at 10:45 pm, seconded by Ms. McManus and carried on a vote of 5 to 0 (Gwozdzowski, Stein, McManus, Morris & Dennies)

The meeting was adjourned at 10:45 pm

Respectfully submitted,

Roseanne McManus, Acting Secretary
Stamford Zoning Board

ZB PH121216

NOTE:

These proceedings were recorded on **video** and are available for viewing through the City of Stamford's web page – www.stamfordct.gov.

There proceedings were also **audio tape** recorded and are available for review in the Land Use Bureau located on the 7th floor of the Government Center, 888 Washington Boulevard, during regular business hours.